

REMARKS

Claims 1-7, 9-19 and 21-24 remain pending in the application. Claims 1 and 13 have been further amended herein. Favorable reconsideration of the application is respectfully requested.

I. ALLOWABLE SUBJECT MATTER

Applicants again note with appreciation the indicated allowability of claims 10-12 and 22-24. These claims will be in condition for allowance upon being amended to independent form. Additionally, applicants wish to thank the Examiner for continued careful examination of the application.

II. REJECTION OF CLAIMS UNDER 35 USC §103(a)

Claims 1, 2, 4-7, 9, 13, 14, 16-19 and 21 remain rejected under 35 USC §103(a) based on *Tasaka et al.* in view of *Van Den Enden et al.* Claims 3 and 15 remain rejected under 35 USC §103(a) based on *Tasaka et al.* in view of *Van Den Enden et al.*, and further in view of *Nakajima et al.* Applicants respectfully request withdrawal of both of these rejections for at least the following reasons.

Applicants have amended claims 1 and 13 to clarify that the present invention determines whether a predetermined reproduction pattern or a random pattern is utilized to obtain the reproduction signal depending on whether there is a large difference in the edge shift amount. Specifically, claims 1 and 13 have been amended to recite:

wherein the reproduction signal is a signal obtained by reproducing either a predetermined signal sequence or an arbitrary random signal sequence, as a function of and whether the predetermined signal sequence or the arbitrary random signal sequence is reproduced depends on the edge shift amount.

Support for such amendment may be found, for example, in the present application at page 43, line 19 to p. 44, line 27.

Accordingly, the reproduction signal as recited in claims 1 and 13 is a signal obtained by selectively reproducing either a predefined signal sequence (e.g., data sequence generated using a modulation table) or an arbitrary random signal sequence (random data) as a function of the edge shift amount (so as to avoid a large difference in the edge shift amount).

Advantageously, the number of mark categories can be changed if required and the signal quality of the recording signal can be improved if required. (See, e.g., Spec., p. 43, ln. 30 – p. 44, ln. 9).

Tasaka et al. and *Van Den Enden et al.* both fail to teach or suggest a system in which whether a predetermined signal sequence or an arbitrary random signal sequence is reproduced depends on the edge shift amount as recited in amended claims 1 and 13. As relied upon by the Examiner, *Tasaka et al.* only teaches the use of a predetermined signal alone. *Van Den Enden et al.* only teaches use of a random signal alone.

Consequently, applicants respectfully submit that in no way does either *Tasaka et al.* or *Van Den Enden et al.* teach, suggest or even contemplate selecting whether a predetermined signal or a random signal is reproduced based on the edge shift amount. Thus, whether the references are taken alone or in combination the present invention would not have been obvious to one having ordinary skill in the art.

For at least the above reasons, applicants respectfully request withdrawal of the rejection of claims 1 and 13.

Remaining claims 2-7, 9, 14-19 and 21 each depend from claims 1 or 13, whether directly or indirectly, and may be distinguished over the teachings of *Tasaka et al.* and *Van Den Enden et al.* for at least the same reasons. Moreover, *Nakajima et al.* does not make up for the deficiencies in *Tasaka et al.* and *Van Den Enden et al.*

Consequently, withdrawal of the rejection of the claims dependent from claims 1 and 13 is also respectfully requested.

III. CONCLUSION

Accordingly, all claims 1-7, 9-19 and 21-24 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino

Reg. No. 34,243

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The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113